



DAC  
#29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

RECEIVED

MAR 24 2003

OFFICE OF PETITIONS

In re Application of:

Giampiero MORINI et al.

Serial No.: 08/603,497

Group Art Unit: 1713

Filed: February 20, 1996

Examiner: Choi, Ling Sui

For: 1,3-DIETHERS AND COMPONENTS AND CATALYSTS FOR THE  
POLYMERIZATION OF OLEFINS, CONTAINING SAID DIETHERS

**PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION**

Commissioner for Patents  
Attn: Office of Petitions  
Washington, D.C. 20231

March 20, 2003

Sir:

This application became abandoned for failure to file a timely and proper reply to the Decision on Appeal mailed February 28, 2002 ("Decision"). The date of abandonment is April 30, 2002.

Applicants petition for revival of this application pursuant to 37 C.F.R. § 1.137(b):

1. Petition Fee - A Credit Card Payment Form in the amount of \$ 1,300.00 is attached.

2. Reply - An Amendment Pursuant to 37 C.F.R. § 1.196(b) is attached.

3. Terminal Disclaimer - This application was filed on or after June 8, 1995. Accordingly, no terminal disclaimer is required.

4. Unintentional Delay - The entire delay in filing the required reply from the due date for the required reply until the filing of this petition was unintentional. Please consider the following:

a. The Decision on Appeal contained a new ground for rejection pursuant to 37 C.F.R. § 1.196(b). The applicants were required to address the new ground for rejection by either (1) submitting an appropriate amendment and having the matter reconsidered by the examiner or (2) seeking rehearing before the Board.

b. The undersigned mistakenly filed a Notice of Appeal to the Court of Appeals for the Federal Circuit. Accordingly, the application became abandoned for failure to file a proper reply to the Decision on Appeal.

c. The Applicants filed an Unopposed Motion for Remand of the appeal back to the Patent and Trademark Office on August 8, 2002. The Federal Circuit remanded the application to the Patent Office on September 3, 2002.

d. The undersigned is a sole practitioner, and could not immediately prepare an appropriate petition because of an unusually heavy workload during the fall and winter of 2002. The abandonment was not properly docketed, and it was overlooked due to the continuing press of work.

U.S. Patent Appln. S.N. 08/603,497  
PETITION FOR REVIVAL OF APPLICATION

**PATENT**

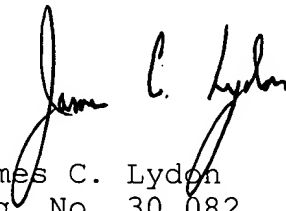
e. The Patent Office mailed a Notice of Abandonment on March 5, 2003. This petition was promptly prepared and filed upon receipt of the Notice of Abandonment.

**ACTION REQUESTED**

Revival of this application is earnestly requested.

It is not believed that any additional fee is required for revival of this application. Nevertheless, the Commissioner is authorized to charge our Deposit Account No. 50-1258 in the amount of any such required fee.

Respectfully submitted,



James C. Lydon  
Reg. No. 30,082

Atty. Case No.: US-12001+2+3  
100 Daingerfield Road  
Suite 100  
Alexandria, Virginia 22314  
Telephone: (703) 838-0445  
Facsimile: (703) 838-0447

**Enclosures:**

Credit Card Payment Form for \$ 1,300.00  
Amendment Pursuant to 37 C.F.R. § 1.196(b)